
By: **Delegates Carter, Branch, Doory, Fulton, Goodwin, Haynes, McIntosh,
Oaks, Paige, and Rosenberg**

Introduced and read first time: February 21, 2005

Assigned to: Rules and Executive Nominations

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Baltimore City Public Schools - Funding**

3 FOR the purpose of urging the Governor to submit in the fiscal 2006 budget bill a
4 deficiency appropriation for fiscal 2005 to the Baltimore City Board of School
5 Commissioners in an amount sufficient to bring the State into compliance with
6 a certain judicial order; and generally relating to State funding for Baltimore
7 City Public Schools.

8 WHEREAS, In October 1996 and June 2000, the Circuit Court for Baltimore
9 City in the cases "Bradford, et al. v. Maryland State Board of Education, et al.", Case
10 No. 94340058/CE189672; and "Board of School Commissioners, et al. v. Maryland
11 State Board of Education, et al.", Case No. 9528055/CL20251, found that the students
12 of Baltimore City were being denied their constitutional right to a thorough and
13 efficient education; and

14 WHEREAS, In August 2004, the Circuit Court for Baltimore City found that
15 Baltimore City public school students are still not receiving an adequate education
16 when based on contemporary educational standards in violation of the State
17 Constitution; and

18 WHEREAS, Funding under the Bridge to Excellence in Public Schools Act was
19 structured in a manner that delayed financial assistance to jurisdictions like
20 Baltimore City that have the greatest percentage of children with special needs; and

21 WHEREAS, The Baltimore City Public School System's fiscal year 2004 deficit
22 was exacerbated by the continuous underfunding of the school system in the early
23 years of the Bridge to Excellence in Public Schools Act; and

24 WHEREAS, The loan from the Mayor and City Council of Baltimore City to the
25 Baltimore City Board of School Commissioners to resolve the fiscal year 2004 deficit
26 has placed additional burdens on an already overburdened school system and has
27 resulted in a further reduction in educational opportunities and programs for the
28 children of Baltimore City; and

1 WHEREAS, The Baltimore City Public School System remains in crisis and
2 children continue to suffer in 2005, as they did in 1996, due to the State's refusal to
3 honor its obligation under the Circuit Court for Baltimore City's consent decree; and

4 WHEREAS, In its August 2004 ruling, the Court declared that from fiscal year
5 2001 through fiscal year 2004, the State has underfunded Baltimore City public
6 schools by \$439.35 million to \$834.68 million; and

7 WHEREAS, The Court ruled that full compliance with the Court's 2000 order
8 will not occur until the Baltimore City Public School System receives an additional
9 \$225 million in State funding, which includes funds allocated under the Cost of
10 Education Index (GCEI), which was enacted by Senate Bill 508 of the Acts of 2004 but
11 not included in the fiscal year 2005 and 2006 budgets; and

12 WHEREAS, The Court further ruled that recent reductions in educational
13 programs in response to the Baltimore City Public School System's fiscal crisis have
14 "impermissibly interfered" with the rights of Baltimore City school children to receive
15 an adequate education under the State Constitution; and

16 WHEREAS, The Court further ruled that the State and Baltimore City should
17 increase funding to the Baltimore City Public School System in fiscal year 2005 by an
18 additional \$30 million to \$45 million; now, therefore, be it

19 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the
20 General Assembly urges the Governor to submit in the fiscal 2006 budget bill a
21 deficiency appropriation for fiscal 2005 to the Baltimore City Board of School
22 Commissioners in an amount sufficient to bring the State into compliance with the
23 August 20, 2004 order of the Circuit Court for Baltimore City in the cases "Bradford,
24 et al. v. Maryland State Board of Education, et al.", Case No. 94340058/CE189672;
25 and "Board of School Commissioners, et al. v. Maryland State Board of Education, et
26 al.", Case No. 9528055/CL20251; and be it further

27 RESOLVED, That a copy of this Resolution be forwarded by the Department of
28 Legislative Services to the Honorable Robert L. Ehrlich, Jr., Governor of Maryland;
29 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and
30 the Honorable Michael E. Busch, Speaker of the House of Delegates.